

CLOSED,TYPE I-FOIA

U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:12-cv-00551-ESH

SAFETY RESEARCH & STRATEGIES, INC. v. U.S.
 DEPARTMENT OF TRANSPORTATION
 Assigned to: Judge Ellen S. Huvelle
 Cause: 05:552 Freedom of Information Act

Date Filed: 04/10/2012
 Date Terminated: 01/28/2013
 Jury Demand: None
 Nature of Suit: 895 Freedom of
 Information Act
 Jurisdiction: U.S. Government Defendant

Plaintiff

**SAFETY RESEARCH
 & STRATEGIES, INC.**

represented by **David L. Sobel**
 ELECTRONIC FRONTIER
 FOUNDATION
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

**U.S. DEPARTMENT OF
 TRANSPORTATION**

represented by **Peter C. Pfaffenroth**
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TERMINATED: 10/01/2012

Date Filed	#	Docket Text
04/10/2012	<u>1</u>	COMPLAINT against U.S. DEPARTMENT OF TRANSPORTATION (Filing fee \$ 350, receipt number 4616047352) filed by SAFETY RESEARCH & STRATEGIES, INC.. (Attachments: # <u>1</u> Civil Cover Sheet)(jf,) (Entered: 04/10/2012)
04/10/2012		SUMMONS (3) Issued as to U.S. DEPARTMENT OF TRANSPORTATION, U.S. Attorney and U.S. Attorney General (jf,) (Entered: 04/10/2012)

04/10/2012	<u>2</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests NONE by SAFETY RESEARCH & STRATEGIES, INC. (jf,) (Entered: 04/10/2012)
04/23/2012	<u>3</u>	NOTICE of Appearance by Emily Kathryn Tyler on behalf of U.S. DEPARTMENT OF TRANSPORTATION (Tyler, Emily) (Entered: 04/23/2012)
05/03/2012	<u>4</u>	MOTION for Extension of Time to File Answer by U.S. DEPARTMENT OF TRANSPORTATION (Attachments: # <u>1</u> Text of Proposed Order)(Tyler, Emily) (Entered: 05/03/2012)
05/03/2012		MINUTE ORDER granting <u>4</u> Unopposed Motion for Extension of Time to Answer: UPON CONSIDERATION of the Defendant's Unopposed Motion for an Extension of Time, it is hereby ORDERED that Defendant's Motion is GRANTED; and it is further ORDERED that Defendant's Answer or other response to the complaint is due by June 11, 2012. Signed by Judge Ellen S. Huvelle on May 3, 2012. (AG) (Entered: 05/03/2012)
06/04/2012	<u>5</u>	MOTION for Extension of Time to File Answer by U.S. DEPARTMENT OF TRANSPORTATION (Attachments: # <u>1</u> Text of Proposed Order)(Tyler, Emily) (Entered: 06/04/2012)
06/06/2012		MINUTE ORDER granting <u>5</u> Unopposed Motion for Extension of Time to Answer: UPON CONSIDERATION of the Defendant's Unopposed Motion for an Extension of Time, it is hereby ORDERED that Defendant's Motion is GRANTED; and it is further ORDERED that Defendant's Answer or other response is due by July 11, 2012. Signed by Judge Ellen S. Huvelle on June 6, 2012. (AG) (Entered: 06/06/2012)
07/11/2012	<u>6</u>	MOTION for Summary Judgment by U.S. DEPARTMENT OF TRANSPORTATION (Attachments: # <u>1</u> Abbott Declaration, # <u>2</u> DiMarsico Declaration, # <u>3</u> Sade Declaration)(Tyler, Emily) (Entered: 07/11/2012)
07/20/2012	<u>7</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>6</u> MOTION for Summary Judgment by SAFETY RESEARCH & STRATEGIES, INC. (Attachments: # <u>1</u> Text of Proposed Order)(Sobel, David) (Entered: 07/20/2012)
07/20/2012		MINUTE ORDER granting <u>7</u> Consent Motion for Extension of Time to File Response re <u>6</u> defendant's Motion for Summary Judgment: UPON CONSIDERATION of plaintiff's consent motion for an enlargement of time, and for good cause, it is hereby ORDERED that plaintiff's response to defendant's pending motion for summary judgment is due by August 22, 2012. Signed by Judge Ellen S. Huvelle on July 20, 2012. (AG) (Entered: 07/20/2012)
07/24/2012	<u>8</u>	Consent MOTION to Amend/Correct <i>Scheduling Order</i> by SAFETY RESEARCH & STRATEGIES, INC. (Attachments: # <u>1</u> Text of Proposed Order)(Sobel, David) (Entered: 07/24/2012)
07/24/2012		MINUTE ORDER granting <u>8</u> Consent Motion to Amend/Correct: UPON CONSIDERATION of plaintiff's consent motion to amend scheduling order, and for good cause, it is hereby ORDERED that the Court's minute order of July 20, 2012, is amended, and plaintiff's response to defendant's pending motion for summary judgment may be filed no later than August 29, 2012. Signed by Judge Ellen S. Huvelle on July 24, 2012. (AG) (Entered: 07/24/2012)
07/25/2012		Set/Reset Deadlines: Response to Motion for Summary Judgment due by 8/22/2012. (gdf) (Entered: 07/25/2012)
08/28/2012	<u>9</u>	Memorandum in opposition to re <u>6</u> MOTION for Summary Judgment filed by SAFETY RESEARCH & STRATEGIES, INC.. (Attachments: # <u>1</u> Statement of Facts (Response), # <u>2</u> Declaration of David L. Sobel, # <u>3</u> Exhibit A, # <u>4</u> Exhibit B, # <u>5</u> Exhibit C, # <u>6</u> Exhibit D, # <u>7</u> Text of Proposed Order)(Sobel, David) (Entered: 08/28/2012)
08/28/2012	<u>10</u>	Cross MOTION for Partial Summary Judgment by SAFETY RESEARCH & STRATEGIES, INC. (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Declaration of David L. Sobel, # <u>3</u> Exhibit A, # <u>4</u> Exhibit B, # <u>5</u> Exhibit C, # <u>6</u> Exhibit D, # <u>7</u> Text of Proposed Order)(Sobel, David) (Entered: 08/28/2012)

08/29/2012	<u>11</u>	Unopposed MOTION for Extension of Time to File Response/Reply <i>in Support of Defendant's Motion for Summary Judgment and Opposition to Plaintiff's Cross-Motion for Partial Summary Judgment</i> by U.S. DEPARTMENT OF TRANSPORTATION (Attachments: # <u>1</u> Text of Proposed Order)(Tyler, Emily) (Entered: 08/29/2012)
08/29/2012		MINUTE ORDER granting <u>11</u> Unopposed Motion for Extension of Time to File Reply re <u>6</u> MOTION for Summary Judgment and Response re <u>10</u> Cross MOTION for Partial Summary Judgment: UPON CONSIDERATION of the Defendant's Unopposed Motion for Extension of Time to File Reply in Support of Defendant's Motion for Summary Judgment and Opposition to Plaintiff's Cross-Motion for Partial Summary Judgment, and for good cause shown, it is hereby ORDERED that Defendant's motion is GRANTED, and it is further ORDERED that Defendant shall submit a reply in support of Defendant's Motion for Summary Judgment at the same time that it submits an opposition to Plaintiff's Cross-Motion for Partial Summary Judgment, and it is further ORDERED that Defendant shall have to, and including, Friday, September 14, 2012, to file its reply and opposition. Signed by Judge Ellen S. Huvelle on August 29, 2012. (AG) (Entered: 08/29/2012)
09/14/2012	<u>12</u>	REPLY to opposition to motion re <u>6</u> MOTION for Summary Judgment filed by U.S. DEPARTMENT OF TRANSPORTATION. (Attachments: # <u>1</u> Supplemental DiMarsico Declaration, # <u>2</u> Supplemental Abbott Declaration, # <u>3</u> Schmidt Declaration)(Tyler, Emily) (Entered: 09/14/2012)
09/14/2012	<u>13</u>	Memorandum in opposition to re <u>10</u> Cross MOTION for Partial Summary Judgment filed by U.S. DEPARTMENT OF TRANSPORTATION. (Attachments: # <u>1</u> Response to Statement of Material Facts, # <u>2</u> Supplemental DiMarsico Declaration, # <u>3</u> Supplemental Abbott Declaration, # <u>4</u> Schmidt Declaration)(Tyler, Emily) (Entered: 09/14/2012)
09/25/2012	<u>14</u>	MOTION for Extension of Time to File Response/Reply by SAFETY RESEARCH & STRATEGIES, INC. (Attachments: # <u>1</u> Text of Proposed Order)(Sobel, David) (Entered: 09/25/2012)
09/28/2012	<u>15</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Peter C. Pfaffenroth on behalf of U.S. DEPARTMENT OF TRANSPORTATION Substituting for attorney Emily Kathryn Tyler (Pfaffenroth, Peter) (Entered: 09/28/2012)
09/28/2012	<u>16</u>	RESPONSE re <u>14</u> MOTION for Extension of Time to File Response/Reply <i>Defendant's Notice of Non-Opposition to Plaintiff's Motion for an Enlargement of Time</i> filed by U.S. DEPARTMENT OF TRANSPORTATION. (Pfaffenroth, Peter) (Entered: 09/28/2012)
09/28/2012		MINUTE ORDER: It is hereby ORDERED that <u>14</u> plaintiff's Motion for an Enlargement of Time in Which to File its Reply in Support of <u>10</u> its Cross Motion for Partial Summary Judgment is GRANTED; and it is further ORDERED that plaintiff's reply is due October 5, 2012. SO ORDERED. Signed by Judge Ellen S. Huvelle on September 28, 2012. (lcsh1) (Entered: 09/28/2012)
10/05/2012	<u>17</u>	REPLY to opposition to motion re <u>10</u> Cross MOTION for Partial Summary Judgment filed by SAFETY RESEARCH & STRATEGIES, INC.. (Sobel, David) (Entered: 10/05/2012)
11/08/2012	<u>18</u>	MEMORANDUM AND OPINION. Signed by Judge Ellen S. Huvelle on November 8, 2012. (lcsh2) (Entered: 11/08/2012)
11/08/2012		Set/Reset Deadlines: Response due by 12/21/2012 Reply due by 1/3/2013. (gdf) (Entered: 11/08/2012)
11/08/2012	<u>19</u>	ORDER denying <u>6</u> Motion for Summary Judgment; holding in abeyance <u>10</u> Motion for Partial Summary Judgment. Signed by Judge Ellen S. Huvelle on November 8, 2012. (lcsh2) (Entered: 11/08/2012)
12/10/2012	<u>20</u>	MOTION for Summary Judgment (<i>Renewed</i>) and Response to the Court's November 8, 2012, Order by U.S. DEPARTMENT OF TRANSPORTATION (Attachments: # <u>1</u> Declaration (Third) of A. DiMarsico, # <u>2</u> Declaration of M. Skinner, # <u>3</u> Declaration of S. Yon, # <u>4</u> Declaration of A. Noel, # <u>5</u> Declaration of G. Magno, # <u>6</u> Declaration of J. Timian, # <u>7</u> Declaration of K. Schuler, # <u>8</u>

		Declaration of N. Beuse, # <u>9</u> Declaration of J. Dang, # <u>10</u> Declaration of T. Rockwell, # <u>11</u> Declaration of L. Collins, # <u>12</u> Declaration of R. Saul, # <u>13</u> Text of Proposed Order)(Pfaffenroth, Peter) (Entered: 12/10/2012)
12/19/2012	<u>21</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>20</u> MOTION for Summary Judgment (<i>Renewed</i>) and <i>Response to the Court's November 8, 2012, Order</i> by SAFETY RESEARCH & STRATEGIES, INC. (Attachments: # <u>1</u> Text of Proposed Order)(Sobel, David) (Entered: 12/19/2012)
12/20/2012		MINUTE ORDER granting <u>21</u> Motion for Extension of Time to File Response re <u>20</u> Renewed MOTION for Summary Judgment and Response to the Court's November 8, 2012, Order: UPON CONSIDERATION of plaintiff's consent motion for an enlargement of time, and for good cause, it is hereby ORDERED that plaintiff's response to defendant's renewed motion for summary judgment is due by January 22, 2013. Signed by Judge Ellen S. Huvelle on December 20, 2012. (AG) (Entered: 12/20/2012)
12/20/2012		Reset Deadlines: Responses due by 1/22/2013 (tj) (Entered: 12/20/2012)
01/17/2013	<u>22</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>20</u> MOTION for Summary Judgment (<i>Renewed</i>) and <i>Response to the Court's November 8, 2012, Order</i> by SAFETY RESEARCH & STRATEGIES, INC. (Attachments: # <u>1</u> Text of Proposed Order)(Sobel, David) (Entered: 01/17/2013)
01/23/2013	<u>23</u>	ORDER DISMISSING CASE pending final settlement and finding as moot <u>10</u> Motion for Partial Summary Judgment, <u>20</u> Motion for Summary Judgment, and <u>22</u> Motion for Extension of Time to File Response. Signed by Judge Ellen S. Huvelle on January 23, 2013. (AG) (Entered: 01/23/2013)
01/24/2013	<u>24</u>	STIPULATION of Dismissal <i>and Settlement</i> by SAFETY RESEARCH & STRATEGIES, INC., U.S. DEPARTMENT OF TRANSPORTATION. (Pfaffenroth, Peter) (Entered: 01/24/2013)